

DELIBERATIVE PROCESS—DO NOT CITE OR SHARE
Bristol Bay Watershed Assessment
Peer Review Follow-Up Communications Plan
DRAFT—FOR INTERNAL USE ONLY

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Background

EPA Region 10 Regional Administrator Dennis McLerran intends to give an update on the Bristol Bay Watershed Assessment as part of his keynote speech at the Alaska Forum on the Environment on the afternoon of Feb. 5. In addition, Dennis and Rick Parkin are scheduled to lead an update session at AFE on the morning of Feb. 5.

The following messages will be incorporated into the keynote speech and the update session:

- EPA's draft Bristol Bay Assessment was released in May 2012. Since then, we received over 230,000 public comments and put the assessment through a rigorous external peer review. EPA has carefully evaluated the comments and suggestions provided by the public and a group of 12 expert, independent scientists tasked with peer review. EPA is using the public and peer review input to revise and improve the assessment.
- EPA has asked the 12 original Bristol Bay Watershed Assessment peer reviewers to evaluate the revised Bristol Bay Assessment to determine if the agency was fully responsive to the peer review comments and suggestions the peer reviewers provided on the May 2012 draft assessment. This peer review follow-up is scheduled for spring 2013. EPA will use this second level of input provided by the peer reviewers to prepare the final Bristol Bay Watershed Assessment.
- As part of EPA's continued commitment to public involvement since launching the Bristol Bay Watershed Assessment, the agency intends to hold a public comment period to coincide with the spring release of the revised assessment. We will complete the assessment after this additional round of review and comment. Our primary objective is to make sure that we have gotten the assessment right and we are using the best available science. We anticipate releasing the final assessment in 2013.

Key Messages

- EPA is making arrangements for the 12 original peer review members to evaluate EPA's changes to the

assessment before the agency finalizes it.

- The original reviewers did a thorough review of the draft assessment and provided valuable input.
- The original peer review process was coordinated by an independent contractor, Versar, Inc.
- **EPA is asking the peer reviewers to consider the changes the agency made to the assessment and let us know if we addressed their comments.**
 - This additional review is a step toward finalizing the assessment.
 - The agency completed a scientific peer review when it released the draft assessment. Our goal is to check back with the independent experts who provided feedback on our draft assessment to determine if EPA effectively addressed that feedback.
- **As part of EPA's continued commitment to public involvement since launching the Bristol Bay Watershed Assessment, the agency intends to hold a public comment period to coincide with the release of the revised assessment. Our primary objective is to make sure that we are using the best available science.**
 - The public has expressed considerable interest in the assessment and the issues we're studying in Bristol Bay. We received over 230,000 comments in the first comment period.
 - Hearing from tribes, community members, and other stakeholders has been valuable in developing and revising our assessment.
 - We are developing the next opportunity for public involvement and will release details in the future.
 - We intend to finalize the assessment in 2013 after this additional round of review and comment is complete.

Text on Bristol Bay from RA's speech at Alaska Forum on the Environment

Speech content as of 2/4/13, 5:00pm PST

I'll wrap up today by giving you an update on a topic I know there is wide interest in -- our Draft Bristol Bay Watershed Assessment process. So, I do want to let you know today what to expect next in the process of completing the assessment.

We indicated late last year that we would be asking for additional peer review of a revised document that incorporates consideration of the public comments we received on the Draft Assessment as well as the comments we received from the panel of 12 independent peer reviewers.

As most of you know, we received extensive public comment on the Draft Assessment. We received over 230,000 public comments once all were in.

I think you also know we arranged a very robust peer review process with an additional day of public comment to the peer reviewers and a 3 day-long session of the peer reviewers held in Anchorage last year. The independent peer reviewers received a summary of the full public comments and had access to all of the comments as well, so that process was quite extensive.

Today I am announcing that we will be releasing a draft revised assessment document this spring and will be seeking additional public comment on that draft. We will also be asking each of the original 12 peer reviewers to provide their comments back to us on whether the revised draft has been responsive to their peer review comments. We will complete the assessment after this additional round of review and comment is complete.

Our primary objective is to make sure that we have gotten the assessment right and are using the best available science.

The Bristol Bay salmon runs are an Alaska treasure and no one wants to see them harmed so we want to make sure we have the best understanding possible of what the impacts of large scale mining could be on the salmon.

As I have said previously, we have not made any decisions yet about how we will use the information in the assessment and will not do so until it's finalized. We would expect take the additional public comment this Spring before the Bristol Bay fishing season begins.

I will say just one more time...Our objective in all of this is to get the assessment right. That means conducting, understanding and delivering the best available science about the possible impacts of large scale mining development on fish. And that needs to be and will remain our primary focus before any decisions on Bristol Bay mining development are made.

Media outreach

Advance to Associated Press reporter Becky Bohrer on Feb. 5

Hanady will advance an update on the assessment via email to AP reporter Becky Bohrer on the morning of Tuesday Feb. 5. We have advanced material to her in the past. We will advance the desk statement below and the text of Dennis' speech, with an embargo until 11am AKST. Becky works out of Juneau and will be unable to attend AFE. AP may send someone from the Anchorage bureau to the forum.

Anchorage Daily News Editorial Board

Regional Administrator Dennis McLerran will speak with Anchorage Daily News editorial writer Frank Gerjevic via phone on Feb. 5 at 3:45pm AKST. ADN has been following the Bristol Bay Watershed Assessment since EPA launched it and Frank has spoken with Dennis before. This is an opportunity for Dennis to explain the next steps in the assessment process, per his speech, and gives Frank an opportunity to ask clarifying questions.

Media presence and interviews at AFE

There will likely be reporters at the forum who will request interviews. Dennis is prepared to field questions while he is at the forum. Follow-up questions can be directed to Hanady Kader.

Desk statement

The Environmental Protection Agency (EPA) has asked the 12 independent and expert peer reviewers of the Bristol Bay Watershed Assessment to evaluate revisions the agency has made to the Assessment. EPA's goal is to determine if the revisions reflect the peer reviewers' feedback, which EPA received in fall of 2012. EPA intends to make these revisions open to a period of public comment, and will carefully review public input and peer review feedback before publishing a final assessment.

Website and listserv update

Website update: PULL FROM LISTSERV LANGUAGE

Listserv Message:

An update on the draft EPA Bristol Bay watershed assessment

During 2011 and 2012, EPA conducted a scientific assessment of the Bristol Bay watershed to understand how large-scale mining could potentially affect water quality and salmon ecosystems in the Kvichak and Nushagak river systems - home to one of the largest salmon populations in the world and an area with significant mineral resources.

After EPA's draft Bristol Bay Assessment was released in May 2012, we received over 230,000 public comments and conducted a rigorous external peer review. EPA is using the comments and suggestions from the public and the 12 peer reviewers to revise the assessment.

EPA has asked the 12 original Bristol Bay Watershed Assessment peer reviewers to evaluate the revisions the agency has made to the draft Bristol Bay Assessment. EPA's goal is to determine if these revisions reflect the peer reviewers' feedback, which EPA received in fall of 2012. This peer review follow-up will be conducted in spring 2013.

As part of EPA's continued commitment to public involvement since launching the Bristol Bay Watershed Assessment, the agency intends to hold a public comment period on the revised assessment concurrent with the peer review evaluation. EPA's primary objective is to make sure the agency is using the best available science. EPA intends to finalize the assessment after carefully considering the scientific peer review and public comment.

External Communications Schedule

NOTE: ALL TIMES ARE IN ALASKA STANDARD TIME

DATE/TIME	ACTION	WHO	DONE?
Feb. 5, 7am	Notify Larry Hartig, Alaska Dept. of Environmental Conservation	Michelle	
Feb. 5, 7am	Notify Ed Fogels, Deputy Commissioner at Alaska Department of Natural Resources	Michelle	
Feb. 5, am	Notify members of Congress <ul style="list-style-type: none"> • Sen. Murkowski • Sen. Begich • Congressman Don Young • Sen. Maria Cantwell • Sen. Patty Murray • Sen. Ron Wyden • Congressman Jim McDermott 	Arvin (DC staff), Bill (AK, WA, OR staff)	
Feb. 5, am	Notify Pebble Partnership (John Shively)	Rick	
Feb. 5, am	Notify Trout Unlimited (Shoren Brown, Wayne Nastri) during meeting with Bob NOTE: Let TU know that Dennis is speaking with Nunamta Aulukestai early Tuesday morning	Bob	
Feb. 5, am	Notify Nuna Resources	Rick	
Feb. 5, am	Notify Nunamta Aulukestai, BBNC, BBNA in 8am morning meeting	Dennis	
Feb. 5, 8:30am	Advance desk statement and excerpt of Dennis' speech to AP reporter Becky Bohrer, embargo until 11am AKST	Hanady	
Feb. 5, 9am	EPA session at AFE on Bristol Bay Watershed Assessment	Dennis, Rick	
Feb. 5, 12pm	Send listserv, update website	Judy, Charles, Hanady	
Feb. 5, 3:45-4:15pm	Phone call with Frank Gerjevic at ADN editorial board	Dennis	
Feb. 5, 4:30pm	Dennis gives keynote speech at AFE	Dennis	

Anticipated responses

- **Members of Congress:** They have occasionally issued statements in the past when we've made announcements. Some members are supportive, some are not.
- **Tribes and tribal entities:** Some support the assessment and EPA's process, others do not. They have responded publicly in the past accordingly.

- **Pebble Partnership:** Typically, they have responded critically with their own press release a day or two after we make an announcement. CEO John Shively or spokesman Mike Heatwole may make statements to the media.
- **NGOs:** Trout Unlimited is most vocal, and they will likely issue a supportive statement. NRDC has also been vocal and may issue a supportive statement or blog post.

National Outlets	Local Outlets
Associated Press Becky Bohrer (Juneau) bbohrer@ap.org <div>Ex. 6 PII</div> apanchorage@ap.org apjuneau@ap.org	Anchorage Daily News Lisa Demer, reporter ldemer@adn.com <div>Ex. 6 PII</div> David Hulen, State and Local News Editor <div>Ex. 6 PII</div> dhulen@adn.com Frank Gerjevic, Editorial writer fgerjevic@adn.com
Bloomberg/Reuters Yereth Rosen <div>Ex. 6 PII, Yereth Rosen</div> <div>Ex. 6 PII</div>	Alaska Public Radio Network Daysha Eaton deaton@alaskapublic.org <div>Ex. 6 PII</div> Steve Heimel sheimel@aprn.org <div>Ex. 6 PII</div>
Greenwire Manuel Quinones <div>Ex. 6 PII</div> mquinones@eenews.net	KDLG Radio, Dillingham Dave Bendinger kdlgreporter@dlgsd.org Mike Mason mmason@dlgsd.org <div>Ex. 6 PII</div>
Frontline Blaine Harden <div>Ex. 6 PII, Blaine Harden</div> <div>Ex. 6 PII</div>	The Fishermen's News Margie Bauman <div>Ex. 6 PII, Margie Bauman</div> <div>Ex. 6 PII</div> home office mobile
60 Minutes Andrew Metz MetzA@cbsnews.com	Pebble Watch Mariah Oxford <div>Ex. 6 PII</div> moxford@bristol-companies.com
Outside Magazine Tim Sohn <div>Ex. 6 PII, Tim Sohn</div> <div>Ex. 6 PII</div>	Seattle Magazine Langdon Cook <div>Ex. 6 PII, Langdon Cook</div>
McClatchy Sean Cockerham scockerham@mcclatchydc.com Energy, resources and Interior Department Correspondent McClatchy Newspapers Washington Bureau <div>Ex. 6 PII</div>	

Q&A

Why is the EPA returning to the original 12 reviewers?

The peer review follow-up is being done with the 12 reviewers who conducted the external peer review of the May 2012 draft assessment because those experts are best qualified to determine if the EPA understood and addressed the comments and suggestions provided during the 2012 peer review.

What contract arrangements are being made with the original 12 reviewers?

EPA has contacted the original 12 reviewers with the intent of developing individual sole source small purchase agreements with each reviewer. Those contracts have not yet been put in place.

Why isn't EPA using Versar for this second peer review?

EPA's contract with Versar to coordinate the external peer review of the May 2012 draft of the Bristol Bay Assessment has expired. EPA decided to directly contract with the original 12 reviewers because these individuals are the best qualified to determine if EPA addressed the comments and suggestions they provided during the 2012 peer review. We are unable to use Versar for this peer consultation because contract law prohibits us from directing a contractor to hire specific individuals.

When will the peer consultation be completed?

The EPA anticipates that the peer consultation will be completed in spring 2013. Reviewers will be given approximately three to four weeks to evaluate the revised draft assessment and consider if it is responsive to the comments and suggestions they provided on the May 2012 draft.

Will EPA revise the assessment again based on the peer reviewers' second read?

EPA will consider all input received from the peer consultation and use that input to prepare the final Bristol Bay Assessment.

Is EPA expecting a report from the peer reviewers? Will that be made public?

As part of this peer review follow-up, each reviewer will be asked to provide a written evaluation of how well the revised report addressed comments provided in 2012. Each reviewer will provide his or her own, independent evaluation.

When will the peer reviewers have the revised draft? Is it ready? Can it be made public?

EPA has not completed revisions to the May 2012 assessment draft and anticipates providing peer reviewers with the revised assessment in spring 2013. EPA considers the peer review follow-up a part of responding to public and peer review comments received in 2012 and an important step to completing the final assessment. EPA does not plan on releasing this interim draft.

When will the final Bristol Bay Assessment be available?

We anticipate release of the final Bristol Bay Assessment in summer 2013.

Why is EPA holding another public comment opportunity?

In the interest of public engagement and transparency, EPA has decided to hold a public comment period to coincide with the release of the revised draft Bristol Bay Watershed Assessment. We know how important this process and assessment has been for Alaskans and other stakeholders, and the public input we've received in the past has been valuable to the process. We will provide particulars of the public comment period as we move forward.

What is the public comment process going to look like? When will it start?

EPA will provide details of the public comment period as we proceed. It will likely be in the spring, to coincide with the

release of the revised assessment for the peer review follow-up.

What will EPA do with the public comments it receives?

Are the peer review panelists able to talk about their work?

Peer reviewers may be contacted and are allowed to discuss the contents of the original peer review report. Details concerning the revised draft assessment and the peer consultation will not be discussed by reviewers.

How much did this peer review process cost?

The external peer review process has not been completed. Following this follow-up with the original 12 reviewers of the May 2012 draft, EPA will summarize and make available the costs of external peer review.

One of the peer review panelists had some pointed criticisms about [insert issue] in your assessment. Are you going to be considering all of their feedback?

We are considering all the comments received and the response to comments document will explain how we addressed each comment in the revised assessment or if we did not revise the document in response to the comment, it will explain the reason.

How much emphasis will be placed on the panel's review of the report?

EPA has used comments and suggestions from the peer review panelists to revise and improve the assessment. EPA has also evaluated and considered comments provided by members of the public. A response to peer review panel comments will be part of the final report documentation.

Is EPA going to invoke Clean Water Act section 404 (c) to protect Bristol Bay?

EPA has not made that decision. Right now, our focus is on completing the assessment.

In late 2010, EPA received petitions from nine tribal governments requesting that we use our authority under Section 404(c) of the Clean Water Act to protect Bristol Bay from potential large-scale mining. We also received requests for EPA to allow the permitting process to run its normal course. EPA chose to conduct a watershed assessment to assess the risks of large-scale mining to the salmon fishery of the Kvichak and Nushagak watersheds. We felt that this course of action was responsive to both requests and would help inform any future decisions by the agency.